

Remarks

Applicant thanks the Examiner for the careful consideration given this application. Reconsideration of this application is requested in view of the above amendments and the following remarks.

With the entry of the above amendments, Claims 1-13 and 15-38 will be pending in this application. Claims 1, 13, 15-17, and 26 are independent claims. Claim 14 was previously cancelled without prejudice. Claims 20 and 34 have been amended to address minor errors. Claims 1, 15-17, and 26 have been amended as discussed below, and also to revise their formats such that material from their respective preambles is now in their respective bodies.

At pages 4-8, the Office Action rejects Claims 1-4, 11-13, 15, and 16 under 35 U.S.C. § 102(b) as being anticipated by Suzuki et al. (U.S. Patent No. 5,903,843). At pages 8-9, Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al. in view of Rinne et al. (U.S. Patent No. 6,993,340). At pages 9-11, Claims 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al. in view of Elliot (U.S. Patent No. 6,937,747). At pages 11-16, Claims 17-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parantainen et al. (WO 02/17668) in view of Verdine (WO 01/86889). Finally, at page 17, Claims 37 and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parantainen et al. in view of Suzuki et al. All of these rejections are respectfully traversed for at least the following reasons.

All of the independent claims (Claims 1, 13, 15-17, and 26) have been amended to clarify that the direct access mechanism “is a mechanism enabling the communications

device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send.” This is supported, e.g., by Fig. 2, which shows that the terminal need not request uplink resources, but rather, when the terminal has data to send, it just sends it.

In contrast, Suzuki et al. discloses a system in which mobile stations are assigned uplink access channels upon request. This is apparent, for example, by noting Fig. 16. Therefore, the cited portions of Suzuki et al. fail to disclose the claimed limitations (i.e., where a mobile station may directly transmit uplink user data as soon as it has user data to transmit).

Similarly, Parantainen et al. also addresses a system in which uplink access is allocated in response to mobile station requests. This is discussed, for example, at page 9, lines 31-35. In other words, even though the portions of the summary section of Parantainen et al. merely address the question of transmitting control information to let mobile stations know if fast access is available, the mobile stations are still required to request the allocation of access channels (i.e., the scheme discussed in Parantainen et al., in the sections cited by the Office Action, does not permit a mobile station to directly transmit uplink user data as soon as it has user data to transmit, as claimed).

It is further noted that Applicant has been unable to locate any disclosures in any of the other cited references that would address these deficiencies in Suzuki et al. and Parantainen et al.

For at least these reasons, it is respectfully submitted that Claims 1-13 and 15-38 are allowable over the cited references.

Applicant may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as may be found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

Conclusion

Applicant believes that the above amendments and remarks address all of the grounds for rejection and place the application in condition for allowance. Applicant, therefore, respectfully requests prompt and favorable consideration of this response and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Respectfully submitted,

/Jeffrey W. Gluck/

Date: July 23, 2007

Jeffrey W. Gluck, Ph.D.
Registration No. 44,457
Connolly Bove Lodge & Hutz LLP
1875 Eye Street NW, Suite 1100
Washington, DC 20006
Telephone: 202-331-7111
Direct Dial: 202-572-0322
Facsimile: 202-293-6229

JWG/bms
CB-553350